

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

UNITED STATES OF AMERICA,

v.

Docket No. 2:19cr47

AGHEE WILLIAM SMITH, II,

Defendant.

**DEFENDANT AGHEE WILLIAM SMITH'S WAIVER OF APPEARANCE
FOR ARRAIGNMENT AND ENTRY OF A PLEA OF NOT GUILTY**

Pursuant to Federal Rule of Criminal Procedure 10(b), Defendant Aghee William Smith, II, hereby waives his right to appear in court for arraignment on May 1, 2019 on the Indictment filed March 21, 2019. Mr. Smith and his counsel affirm that Mr. Smith has received a copy of the Indictment and that Mr. Smith pleads not guilty to all charges against him. In support of this waiver, defense counsel represent the following:

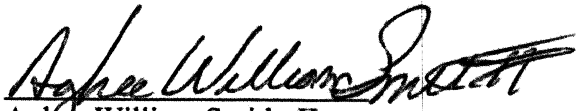
1. Mr. Smith resides in Roseville, California. He was arrested on the Indictment on April 11, 2019 at his residence. He appeared for his initial appearance in the United States District Court for the Eastern District of California on that date. Mr. Smith was released on a \$25,000 unsecured bond with conditions of release. Undersigned counsel was appointed to represent Mr. Smith pre-indictment on April 18, 2018.
2. Mr. Smith's wife recently had surgery and he has been her primary caregiver while she recovers. In addition, Mr. Smith has some medical/health issues which will be aggravated by cross-country travel. Thus, traveling to this Court for the arraignment would be a hardship for Mr. Smith.

3. Counsel for the United States have advised defense counsel that the United States takes no position on this issue.

Wherefore, the defense respectfully requests the Court to accept this waiver and enter Mr. Smith's plea of not guilty at the scheduled arraignment¹.

Respectfully submitted,

AGHEE WILLIAM SMITH, II


Aghee William Smith, II

_____/s/_____
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¹ Since Mr. Smith was ordered by Magistrate Judge Claire to appear in this Court on May 1, 2019, the defense further requests that the acceptance of this waiver by this Court supersede that directive of Mr. Smith's appearance.

CERTIFICATE OF SERVICE

I certify that on this 24th day of April, 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification (NEF) to:

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